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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,933	04/14/2004	Nathan Gerard Cormier	133473	5295
29399	7590	08/26/2005		
JOHN S. BEULICK C/O ARMSTRONG TEASDALE LLP ONE METROPOLITAN SQUARE SUITE 2600 ST. LOUIS, MO 63102-2740			EXAMINER WIEHE, NATHANIEL EDWARD	
			ART UNIT	PAPER NUMBER
			3745	

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

TWh

Office Action Summary	Application No.	Applicant(s)	
	10/823,933	CORMIER ET AL.	
	Examiner	Art Unit	
	Nathan Wiehe	3745	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 9, 11, 13-17 and 19 is/are rejected.
- 7) ☒ Claim(s) 7, 10, 12, 18 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02142005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 14 February 2005 is noted. The submission is in compliance with the provisions of 37 CFR 1.97 and 1.98. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

2. The drawings are objected to because the specification refers to "gas turbine engine rotor assembly 30" in paragraph [0014], but reference numeral 30 is not shown in the drawings. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the

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examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities:

In paragraph [0014] "variable stator vane assembly 30" should be --
variable stator vane assembly 44--.

Appropriate correction is required.

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
5. The following title is suggested: Gas Turbine Engine Variable Vane Assembly.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-6, 8,9,11,13-17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Agram (6,129,512). Agram discloses a variable vane assembly comprising:

a row of variables vane (2) including an outer spindle (3) and an inner spindle (5)
which contains groove (34) with machined faces (33);and

a retainer (13) for engaging groove (34).

Agram also discloses a bushing (27), including a base (not referenced) and a body (not reference) of different cross-sectional profiles, extending circumferentially around radially inner spindle (5). Agram's retainer (13) contains opposed arms (18 and 19), which engage machined faces of the inner shroud (12) and groove (34), respectively. Agram's discloses that his invention is used in turbo-machines, including gas turbine engines, and contains a rotor shaft (26), a plurality of rows (one shown) of rotor blades (not referenced), and an outer shroud (7) rotatably coupled to vanes (2). Agram also discloses an inner shroud (12) also rotatably coupled to vanes (2). The inner shroud (12) of Agram's invention contains a plurality of circumferentially spaced openings (not referenced) that have a substantially identical cross-sectional shape as the bushing body (not referenced). Agram's inner shroud (12) also includes a plurality of circumferentially spaced stem openings (not referenced) receiving a portion (31) of radially inner spindle (5) and a plurality of retainer openings (23) receiving a portion (21) of retainer (19). It is noted that the engagement of retainer arm (19,21) with groove (34) in Agram's invention would facilitate reduced bending moments induced to radially outer spindle (3).

8. Regarding the method claims 1-5, the apparatus of Agram satisfies all of the claimed assembly steps because it is apparent to assemble the apparatus of Agram in the same manner.

Allowable Subject Matter

9. Claims 7,10,12,18 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior Art

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patent issued to Fisher discloses a two-armed apparatus for securing bushings in a gas turbine. The patent issued to Dittberner, Jr. et al. discloses a variable vane assembly including a woodruff key inserted into a slot in the bushing and a groove in the vane spindle.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Wiehe whose telephone number is (571)272-8648. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look can be reached on (571)272-4820. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nathan Wiehe
Examiner
Art Unit 3745



EDWARD K. LOOK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

8/22/05